

DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **THROMBOLYSIS DEVICE** the specification of which is attached hereto or XX was filed on February 15, 2000 as Application No. 09/504,162 and was amended on (if applicable).



I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
09/005,217	January 9, 1998	Allowed
08/483,071	June 7, 1995	Issued as 5,713,848
08/320,184	October 7, 1994	Issued as 5,498,236
08/065,470	May 19, 1993	Issued as 5,380,273
07/885,665	May 19, 1992	Abandoned

Full Name of Inventor 1:	Last Name: EVANS	First Name: MICHAEL	Middle Name or Initial:	
Residence & Citizenship:	City: Palo Alto	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 637 Webster Street	City: Palo Alto	State/Country: California	Postal Code: 94301
Full Name of Inventor 2:	Last Name: DUBRUL	First Name: WILL	Middle Name or Initial: R.	
Residence & Citizenship:	City: Redwood City	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: P.O. Box 246	City: Redwood City	State/Country: California	Postal Code: 94064

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

<p>Signature of Inventor 1</p>  <p>MICHAEL EVANS</p>	<p>Signature of Inventor 2</p>  <p>WILL R. DUBRUL</p>
<p>Date</p> <p>8/1/2000</p>	<p>Date</p> <p>8/1/00</p>

PA 3051331 v1

POWER OF ATTORNEY BY ASSIGNEE

BACCHUS VASCULAR INC., 3260 Alpine Road, Portola Valley, CA, 94028, is the Assignee of the invention entitled:

THROMBOLYSIS DEVICE

The specification of which ____ is attached hereto or XX was filed on February 15, 2000 as Application No. 09/504,162.

The Assignment accompanying this Power of Attorney (or filed concurrently herewith under separate cover to the attention of the Assignment Branch) has been reviewed by the undersigned. The undersigned certifies that to the best of the undersigned's knowledge and belief, title is in the Assignee. The undersigned (whose title is supplied below) is empowered to act on behalf of the Assignee.

Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

<u>Name</u>	<u>Reg. No.</u>	<u>Name</u>	<u>Reg. No.</u>
Aka, Gary T.	29,038	Heckadon, David R.	Granted Limited Recognition under 37 CFR §10.9(b)
Apple, Randolph T.	36,429		
Barrish, Mark D.	36,443	Heslin, James M.	29,541
Colwell, Robert C.	27,431	Liebeschuetz, Joe	37,505
Dow, Karen B.	29,684	Slone, David N.	28,572
Gibby, Darin J.	38,464	Smith, William M.	30,223
Hann, James F.	29,719	Wong, Craig P.	45,231
Haughey, Paul C.	31,836		

Send Correspondence to:
James M. Heslin, Esq.
TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834

Direct Telephone Calls to:
James M. Heslin, Esq.
Reg. No. 29,541
650/326-2400

BACCHUS VASCULAR, INC.

Date: AUG 2, 00

By: [Signature]

Title: V.P. / Gen Mgr

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(e)) - SMALL BUSINESS CONCERN

Applicant or Patentee: MICHAEL EVANS et al.
 Application or Patent No.: 09/504,162
 Filed or Issued: February 15, 2000
 Title: THROMBOLYSIS DEVICE

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
☐ an official of the small business concern empowered to act on behalf of the concern identified below.

Name of Small Business Concern: BACCHUS VASCULAR INC.
 Address of Small Business Concern: 3260 Alpine Road
Portola Valley, CA 94028

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled THROMBOLYSIS DEVICE by inventor(s) MICHAEL EVANS, WILL R. DUBRUL described in:

- ☐ the specification filed herewith;
☒ Application No. 09/504,162, filed February 15, 2000;
☐ Patent No. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name: ///
 Address: _____
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

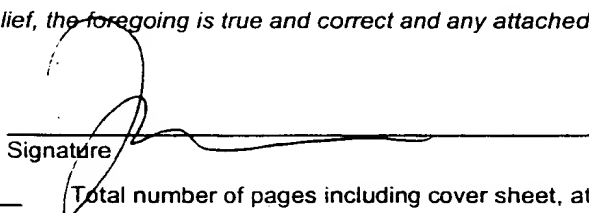
Name: ///
 Address: _____
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

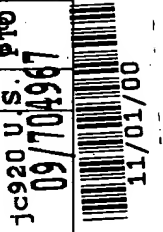
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Robert A. Clark, Jr.
 Title of Person if Other than Owner: V.P. / Gen Mgr
 Address of Person Signing: 3260 Alpine Road
Portola Valley, CA 94028

Signature: [Signature] Date: AUG 2, 00

FORM PTO-1595 (Rev. 6-93)		Recordation Form Cover Sheet (Patents Only)		U.S. Department of Commerce Patent and Trademark Office	
To the Honorable Asst. Commissioner for Patents. Please record the attached original documents or copy thereof					
1. Name of conveying party(ies): MICHAEL EVANS & WILL R. DUBRUL Additional name(s) of conveying parties attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No.		2. Name and address of receiving party(ies) Name: BACCHUS VASCULAR INC. Street Address: 3260 ALPINE ROAD City: PORTOLA VALLEY State: CA ZIP: 94028 Additional names and addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: Execution Date: AUGUST 1, 2000					
4. Application Number(s) or Patent Numbers. If this document is being filed together with a new application, the execution date of the application is: A. Patent Application No(s): 09/504,162 B. Patent No(s): Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
5. Name and address of party to whom correspondence concerning document should be mailed: Name: JAMES M. HESLIN TOWNSEND AND TOWNSEND AND CREW LLP Two Embarcadero Center, 8 th Floor San Francisco, California 94111-3834 (415) 576-0200		6. Total number of applications and patents involved 01 7. Total fee (37 CFR 3.41): \$40.00 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Charge Fees to Deposit Account <input checked="" type="checkbox"/> Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account. 8. Deposit account number: 20-1430			
DO NOT USE THIS SPACE					
9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true of copy of the original document.</i> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <u>JAMES M. HESLIN</u> Name of Person Signing Atty. Reg. No. <u>29,541</u> </div> <div style="width: 40%; text-align: center;">  Signature </div> <div style="width: 25%; text-align: right;"> <u>AUGUST 14, 2000</u> Date </div> </div> <div style="text-align: right; margin-top: 10px;"> Total number of pages including cover sheet, attachments and document <u>2</u> </div>					
10. Change Correspondence Address to that of Part 5? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
OMB No. 0651-0011 (exp. 4/94)					
Do not detach this portion					
Mail documents to be recorded with required cover to: Asst. Commissioner for Patents Box: Assignments Washington, D.C. 20231					



ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, MICHAEL EVANS, of 637 Webster Street, Palo Alto, CA 94301, WILL R. DUBRUL, of P.O. Box 246, Redwood City, CA 94064, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: THROMBOLYSIS DEVICE

Date(s) of execution of Declaration: August 1, 2000

Filing Date: February 15, 2000

Application No.: 09/504,162 ; and

WHEREAS, BACCHUS VASCULAR INC., a corporation of the state of DE, located at 3260 Alpine Road, Portola Valley, CA, 94028, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated:

8/1/2000

Dated:

8/1/2000

MICHAEL EVANS

WILL R. DUBRUL